

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

DANTE VOSS,

Plaintiff,

v.

MARATHON COUNTY, *et al.*,

Defendant.

Case No. 3:18-cv-00540-jdp

**RESPONSE TO PLAINTIFF'S  
MOTION TO STAY PROCEEDINGS UNTIL 2021 (DOC. 244)**

Correct Care Solutions, LLC (now known as Wellpath, LLC), Jorge Dominicis, Russell Creel, Holly Maron, Jesse Borchardt, John Meixner, Kristin Gaiche, and Amy Kubisiak (collectively referred to as the “CCS Professionals”), by their counsel Davis & Kuelthau, s.c., submit this Memorandum opposing Plaintiff Dante Voss’ motion to stay this case (Doc. 244).

**Response to Motion to Stay**

This simple pro se civil rights case has been pending since July, 2018 (24 months). In the 244<sup>th</sup> document filed in this matter, Plaintiff Dante Voss asks the Court to completely stay this case for another year—until sometime in 2021 when Voss can secure additional legal loan funds to bankroll his claims. Voss, who is a chronic litigator by any standards, appears to have spent his legal loan funds on the myriad other civil and criminal matters he chose to pursue. Rather than earmarking his loan money for the final (and most important) documents he needs to file in this case . . . summary judgment response materials . . . Voss chose to file a 70-page Complaint, 38-page Amended Complaint, 20-page motion for class certification, motion for a TRO, and countless other lengthy documents concerning trivial matters. And now that he’s in a position where he allegedly lacks the funds to purchase paper and postage, he asks the Court to stay this case until he gets more loan money.

The consequences of a stay at this time are great. Six healthcare workers have had to endure this lawsuit for some time and simply want closure. They are licensed professionals. Their professional lives have been attacked. They have been waiting for resolution for two years. They do not accept, and vehemently oppose, Voss' pending attempt to unreasonably delay this litigation any further.

The Lincoln County Defendants advocated the defense position well in their response brief (Doc. 248), so Correct Care won't overly burden the Court with recitations of those arguments. In the end, the Court, in response to Voss' identical motion a few months back, warned Voss about the consequences of litigating too many files and failing to properly apportion his funds. (Doc. 184).

At that time, the Court invited Voss to re-submit his request for a stay with documents showing the steps he'd taken to seek resources he needs but claims prison officials are withholding. Voss submitted his request for a legal loan extension (submitted before this Court even denied his last request for a stay) and the prison warden's responses denying additional loan money. Importantly, Voss appears to have an over \$800.00 outstanding loan balance and the Warden (like this Court) warned Voss against misusing his funds. (Doc. 254-4 p. 4).

Voss, however, failed to heed the Court's full March 31 instructions (Doc. 184 p. 4) and provide an accounting of how he'd spent his legal loan funds since filing this action in 2018. Voss' silence on this major point is a perfect ending point for this opposition filing.

Voss plays the victim with his pending motion to stay; he portrays himself as being the victim of evil jailers who are unreasonably withholding funds that Voss is otherwise entitled to. The truth is that ***Voss doesn't qualify for another loan and has already spent his 2020 legal loan in the first four months of the year.*** Voss may not have the funds to purchase the paper/postage/etc. to respond to summary judgment (a fact that is doubtful considering he always seems to find the resources to file motions that benefit his position), but that's Dante Voss' fault. Voss, not the prison officials, unwisely spent his loan funds filing trivial documents. How can the Court be sure that Voss would even use his 2021 funds on this case, instead of his other ongoing disputes? Voss only has himself to blame for his

current position and falls well short of identifying any good or just reason why the Court should hold the health care professionals (or any other defendants) hostage for another year while Dante Voss awaits more free money.

Correct Care respectfully asks the Court to deny Voss' motion for a stay and order a response to be filed within a reasonable time (even acknowledging that an extension for Voss to respond is likely needed and warranted).

Dated: July 6, 2020.

**Davis & Kuelthau, s.c.**

By: Electronically signed by Ryan M. Wiesner

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